

**California Emergency Management Agency**

Public Safety and Victim Services Programs

3650 SCHRIEVER AVENUE
MATHER, CALIFORNIA 95655
(916) 324-9200
FAX: (916) 323-1756

December 22, 2009

Robert M. Burns
District Attorney
Lassen County District Attorney's Office
220 South Lassen Street, Suite 8
Susanville, CA 96130

Re: December 3, 2009 Site Visit of Project – VB08060180

Dear Mr. Burns:

The following provides a brief overview of the prearranged mandatory site visit conducted recently of the Lassen County Vertical Prosecution (VB) Grant Program. Enclosed for your records is a copy of the Cal EMA Performance Assessment/Site Visit Report.

Representing your office during this site visit included Program Coordinator Denise J. Stelzer.

As Project Director for the Vertical Prosecution Grant, you will be pleased to note that my interview of Ms. Denise J. Stelzer, who spoke succinctly from the grant's programmatic and fiscal sides for your project, was well-informed in regard to her respective areas of oversight.

Ms. Stelzer expressed a clear understanding of (1) Vertical Prosecution program objectives; (2) the importance of reporting substantive program data in the quarterly progress reports; (3) tracking grant award funds; and (4) the proper application and submission of California Emergency Management Agency (Cal EMA) Accounting-related forms.

The interview of Ms. Stelzer was particularly enlightening. Mr. Stelzer spoke candidly about the Vertical Prosecution program and described the programs case load and the professional working relationships throughout the county with allied agencies. By all indication, Ms. Stelzer role as Program Coordinator is an asset to the county's Vertical Prosecution Unit success, and its ability to fulfill the Cal EMA Vertical Prosecution program objectives.

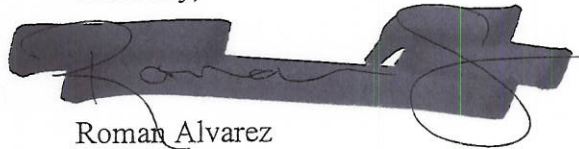
Mr. Robert M. Burns
December 22, 2009
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Most profound was the apparent commitment demonstrated by the Vertical Prosecution staff and their efforts towards the prosecution of Statutory Rape cases, and the possible pursuit of Child Abuse cases within your county.

Additionally, Ms. Stelzer proved more than responsive advocates for the grant, and fulfilling its legislative intent as outlined in the Request for Application.

In closing, it is my judgment that the Lassen County Vertical Prosecution Block Grant Program is a well administered project, and whose standing is in grant compliance.

Sincerely,

A handwritten signature in dark ink, appearing to read "Roman Alvarez", is written over a large, dark, rectangular redacted area.

Roman Alvarez
Criminal Justice Specialist
Public Safety and Victim Services Division

Enclosure


cc: Denise J. Stelzer, Lassen County Program Coordinator
VB08060180 Program Main File

PERFORMANCE ASSESSMENT/SITE VISIT REPORT

1. GRANT AWARD NUMBER: VB08060180 DATE OF SITE VISIT: December 3, 2009
2. GRANT PERIOD:
July 1, 2008 to June 30, 2010
3. RECIPIENT/IMPLEMENTING AGENCY:
County of Lassen/Lassen County District Attorney's Office
4. PROJECT DIRECTOR:
District Attorney Robert M. Burns

PERSONS INTERVIEWED DURING SITE VISIT:

<u>NAME</u>	<u>TITLE</u>	<u>AGENCY</u>
Denise J. Stelzer	Program Coordinator	Lassen County DA



Signature of Program Specialist

12-22-09

Date



Signature of Section Chief

12/23/09

Date

PERFORMANCE ASSESSMENT/SITE VISIT REPORT

A. ADMINISTRATIVE REVIEW

	<u>YES</u>	<u>NO</u>	<u>N/A</u>
<u>DOCUMENTS</u>	<u>OPERATIONAL</u>		
Review hard copy/verify the ability to access on line:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• The Cal EMA Recipient Handbook (R.H.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• The Approved Grant Award Agreement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• The RFA/RFP (supersedes the requirement of the R.H.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• The Program Guidelines (supersedes the requirement of the R.H.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Is the project familiar with Office of Management and Budget, OMB Circulars which govern your organization? Circulars may be found at www.whitehouse.gov/omb/circulars .	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

1. FIDELTY BOND - COMMUNITY BASED ORGANIZATION (CBO) & AMERICAN INDIAN ORGANIZATIONS ONLY

• Obtain copy of required CBO bonding? [R.H. Section 2161] Does <u>not</u> apply to state, city, or county units of government.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the bond show:			
o Bonding company name	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Bond number	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Description of coverage	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Amount of coverage (50% of allocation)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Bond period	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Grant award number	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Bond include Form A (Employee Dishonesty) and Form B (Forgery Coverage)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Is Cal EMA named on the bond as the beneficiary?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

2. ORGANIZATIONAL CHART

• Review the organizational chart. Are all budgeted positions identified?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comments: Flow Chart will be provided upon its completion

3. Cal EMA MODIFICATION (Cal EMA 2-223)

• Review the purpose/preparation of Grant Award Modification (Cal EMA 2-223). [R. H. Section 7500] (<i>Instruct the project staff on the procedure to obtain the most recent forms from Cal EMA website.</i>)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A modification is needed for the following:			
o Budget changes			
o Change in key personnel			
o Adding/changing additional signers			
o Change goals/objectives, or activities			
o Address change			
o Other			

Comments: Need to submit change of information for the County Charimain election in January 2010.

PERFORMANCE ASSESSMENT/SITE VISIT REPORT

A. ADMINISTRATIVE REVIEW (Continued)

4. PERSONNEL POLICIES

	<u>YES</u>	<u>NO</u>	<u>N/A</u>
• Does the project staff have access to written personnel policies as required? [R. H. Section 2130]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Do policies include:			
o Maintenance of personnel files for all paid and volunteer staff including job applications, salaries, benefits, and current job duties/descriptions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
o A current Drug Free Workplace policy statement on file signed by the employee? [R. H. Section 2152]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
o Work hours	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
o Compensation rates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
o Overtime	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Did the Board approve the agency's current personnel policy?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

5. FUNCTIONAL TIMESHEETS

• Does the project use functional timesheets for each grant funded position less than 1 FTE? OR Time Study Allocation plan updated within the last 2 years? [R. H. Section 11331]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Are timesheets (paid staff & volunteer) signed by staff & approved by supervisor? (Review timesheets to ensure they are signed by the staff and supervisor)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments: Lassen County records do not reflect functional timesheets, with no grant fund ID source, does not reflect the% of time worked on grant activities by personnel. Possible future audit finding. Provided Technical Assistance on the proper way to account for time charred to grants.

6. DUTIES OF FINANCIAL OFFICER AND BOOKKEEPER

• Are the duties of the financial officer and the bookkeeper separate to ensure no one person has complete authority over a financial transaction?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
o Name of individual who approves purchases. <u>Robert M. Burns-District Attorney</u>			
o Name of individual who writes checks. <u>Karen Fouch</u>			
o Name of individual(s) who signs checks. <u>Karen Fouch</u>			

Comments:

7. SOURCE DOCUMENTATION-Fiscal [R. H. Section 11000]

	<u>YES</u>	<u>NO</u>	<u>N/A</u>
• Does the project maintain a record-keeping system which will accurately support costs claimed on Report of Expenditure and Request for Funds (Cal EMA Form 2-201)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Does the project maintain an accurate inventory log of equipment purchased with grant funds?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

PERFORMANCE ASSESSMENT/SITE VISIT REPORT

8. PROJECT EXPENDITURES

- | | | | |
|--|-------------------------------------|--------------------------|--------------------------|
| • Is the project's expenditure rate commensurate with the elapsed period of the grant? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • Are the project's expenditures being made in accordance with the terms of the Grant Award Agreement? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • Does the project need to submit a Grant Award Modification Request (Cal EMA Form 2-223)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • Is the project up-to-date with the submission of Cal EMA Form 2-201? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comments: Item #3, (Does the project need to submit a Grant Award Modification? Yes! It is anticipated that a new elected chairman will occur in January 2010, and also the Agency is considering adding Child Abuse as a category for future records.

9. MATCH REQUIREMENTS

- | | | | |
|--|--------------------------|--------------------------|-------------------------------------|
| • Does the project have a match requirement? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| • Is the project meeting the match requirement? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| • Review the supporting documentation to substantiate cash or in-kind match. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comments:

10. EEO POLICY

- | | | | |
|--|-------------------------------------|--------------------------|--------------------------|
| • Review and complete EEO checklist. (Separate document) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|-------------------------------------|--------------------------|--------------------------|

Comments: See attached copies.

PERFORMANCE ASSESSMENT/SITE VISIT REPORT

B. PROGRAMMATIC REVIEW

	<u>YES</u>	<u>NO</u>	<u>N/A</u>
GENERAL			
1. <u>PROGRAM GOALS AND OBJECTIVES</u>			
• Review the goals and objectives of the program and the programmatic requirements of the Grant Award Agreement. Is the project meeting the program goals and objectives?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Does the project staff need to submit Cal EMA Form 2-223 to modify their grant objectives?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

2. PROGRESS REPORT

- | | | | |
|---|-------------------------------------|--------------------------|--------------------------|
| • Discuss and review the programmatic Progress Report requirements. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|-------------------------------------|--------------------------|--------------------------|

Comments:

3. SOURCE DOCUMENTATION-Programmatic

- | | | | |
|---|-------------------------------------|--------------------------|--------------------------|
| • Is the project maintaining a record keeping and data collection process that will accurately support the project's reported data on the Progress Report form? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| • Review the project's file system and data collection process. | | | |

Comments:

4. OPERATIONAL AGREEMENTS

- | | | | |
|--|-------------------------------------|--------------------------|--------------------------|
| • Does the project have current Operational Agreements as required by the Grant Award Agreement? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|-------------------------------------|--------------------------|--------------------------|

Comments: A copy was provided for review, with the City Police Departemnt, County Sheriff's Department and Lassen Family Services.

5. PROJECT STAFF DUTIES

- | | | | |
|---|-------------------------------------|--------------------------|--------------------------|
| • Interview project staff and discuss their duties and the relationship to the grant. Are employees performing duties as stated in the Grant Award Agreement? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|-------------------------------------|--------------------------|--------------------------|

Comments:

C. ADDITIONAL COMMENTS:

NOTES:

ROBERT M. BURNS
District Attorney
County of Lassen

Victims' Bill of Rights
Marsy's Law

The California Constitution, Article 1, Section 28, confers certain rights to victims of crime as they are defined in the law. Those rights include:

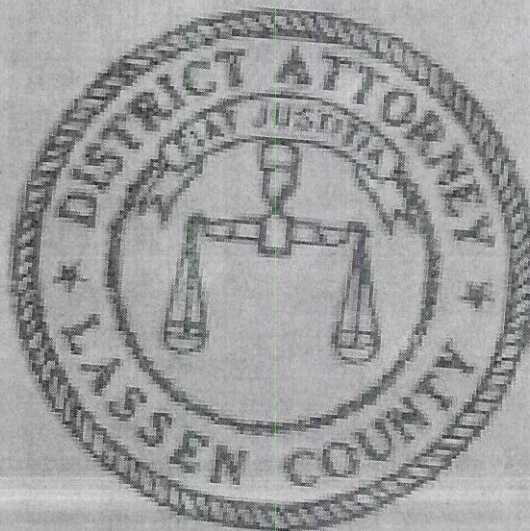
- 1. Fairness and Respect**
To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.
- 2. Protection from the Defendant**
To be reasonably protected from the defendant and persons acting on behalf of the defendant.
- 3. Victim Safety Considerations in Setting Bail and Release Conditions**
To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.
- 4. The Prevention of the Disclosure of Confidential Information**
To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.
- 5. Refusal to be Interviewed by the Defense**
To refuse an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.
- 6. Conference with the Prosecution and Notice of Pretrial Disposition**
To reasonable notice of and to reasonably confer with the prosecuting agency, upon request, regarding, the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and, upon request, to be notified of and informed before any pretrial disposition of the case.
- 7. Notice of and Presence at Public Proceedings**
To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.
- 8. Appearance at Court Proceedings and Expression of Views**
To be heard, upon request, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.

Information for Witnesses in
Criminal Cases



As a witness, your cooperation is vital to
the effective operation of the criminal
justice system

INFORMATION
FOR
VICTIMS AND WITNESSES
OF CRIME



Lassen County
Victim/ Witness
Assistance Program